

the Senate Judiciary Committee, and we will look at some of the successful models that have proven to be successful in places such as Bexar County, San Antonio, TX.

Like many of our colleagues, I have had the occasion to visit the sheriffs, police chiefs, and the jails in our major metropolitan areas. Virtually all of them have told me that our jails have become warehouses for people with mental illness. When they get out, unless their underlying symptoms are treated and unless they are on an enforceable treatment plan, compliant with their medication, and following the doctor's orders, they are going to end up right back where they were. In the absence of effective treatment of their mental illness, we know many people with mental illness will self-medicate with drugs or alcohol, compounding their problems and becoming what a young man in Houston called a "frequent flyer," when referring to himself. In other words, he would keep coming back again and again and again and again.

But there are some successful models we can look at, and the results are really impressive. Through the reform measures instituted in places such as Bexar County, overcrowded jails have been reduced in size, taxpayer dollars have been saved, and many lives have been changed for the better. The secret is these jurisdictions have realized that we have to focus on treating the mentally ill, not just warehousing them in our prisons and jails. Criminologists and mental health experts will tell you that locking up a mentally ill person without treatment will make them even more dangerous to themselves and increase the risk to the community.

Experts will also agree that if we identify those with mental illness and divert them to treatment, many of them can be restored to mental health, saving lives, increasing public safety, and reducing costs to taxpayers.

There is a great book called "Crazy," written by a gentleman by the name of Pete Earley. Pete is a journalist. Unfortunately, he and his wife had a son that exhibited mental illness symptoms. It was as a result of their dealing with his illness and trying to help him get back onto a productive path in life that they encountered the broken mental health system that I have described a little bit about. The good news is Pete's son is doing well. But it is because he is taking his medications, and he recognizes that when he goes off of his medications he gets into trouble. Pete will be testifying at our hearing next week, and I think he will bring home in a very real way how mental illness affects so many lives around the country, and what we can do to actually equip those families with additional tools to help them help their loved ones.

The truth is, this all takes cooperation. Indeed, in the criminal justice context, it takes collaboration between Federal, State, and local law enforce-

ment. It also takes judges, doctors, and families. But the good news is there are some models for success. We need to make this a priority because so many of the people we encounter today on our streets—the homeless—are people who are suffering from mental illness of some form or another that could be helped. So many people who are jailed for minor criminal offenses are people with mental illness that could be helped. I think it behooves all of us to do what we can to learn from what actually has proven to work in some of our cities around the country, and to try to implement this on a national level.

In addition to Mr. Earley, we are going to be hearing from Sheriff Susan Pamerleau, who has been a champion of mental health reform in the San Antonio area.

But even as the committee begins to consider long overdue mental health legislation, I have to confess that I have been disappointed at some of the responses by some of my colleagues on the other side of the aisle, because they say: We don't want to talk about the whole problem; we just want to talk about the part of the problem that we want to talk about. So if this involves anything related to Second Amendment rights or guns, then they don't want to have that conversation. But you can't circumscribe the debate or the discussion by carving that out. That has to be a part of it. It will be a part of it, whether we like it or not.

Some of these colleagues on the other side of the aisle have cited a provision of my bill that would actually strengthen and clarify the definitions regarding the uploading of mental health records to the National Instant Criminal Background Check System. Why would anybody disagree with making sure that adjudication of mental illness be uploaded to the National Instant Criminal Background Check System? That is what happened with the Virginia Tech shooter, for example. He had been adjudicated mentally ill by Virginia authorities, but because the State didn't provide that information to the National Instant Criminal Background Check System operated by the FBI, he was able to buy a firearm without being disqualified, which he should have been, based on that adjudication.

My bill also reauthorizes and strengthens the National Instant Criminal Background Check System. This is something our colleagues across the aisle—and, indeed, all of us—have said we support—a background check system. It would work to clarify the scope of the mental health records that are required to be uploaded so that there is no longer mass confusion among State and local law enforcement as to what is required by Federal law. And, because we can't mandate that States do this, we need to provide incentives for them to encourage them to share these records, because these are a national resource. To me, this

just makes common sense. Why wouldn't we want States to comply with current laws to keep the mental health background check records updated? I don't understand the controversy about that.

I would like to make clear that if there are Members on the other side of the aisle willing to work with me on this legislation and willing to work with the chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, and the ranking member, Senator MURRAY, and with TIM MURPHY in the House—who has an important piece of legislation that is much more comprehensive in nature but certainly deals with this issue as well—and along with Dr. BILL CASSIDY here in the Senate, there are many of us on a bicameral basis and on a bipartisan basis who have said we want to do something about this crisis in our country, and that is the mental health crisis.

What we ought to do is roll up our sleeves, sit down at the table, and begin to work through this. I know at least five Democrats are cosponsoring legislation identical to mine in the House of Representatives, so it is up to us to start working to find consensus in the Senate.

This is one of those issues where Republicans have said they would like to see something get done, where the Democrats say they would like to get something done, and presumably the White House would too. How do you explain our not doing what we can do? Even if we can't do everything some of us would like to do, why don't we do what we can do?

I hope we can work together to deal with these reforms and to help make our communities safer. It is up to us to put our heads down and work diligently for the American people and come up with solutions for struggling families—families struggling with a loved one with mental illness and who don't know where to turn. I look forward to hearing more about some of the proposed solutions next week during this hearing of the Senate Judiciary Committee and working with all of our colleagues to try to come up with the best answers we can.

SIXTH ANNIVERSARY OF SUPREME COURT'S CITIZENS UNITED DECISION

Mr. DURBIN. Mr. President, today marks the 6-year anniversary of the Supreme Court's decision in *Citizens United v. Federal Election Commission*. In this far-reaching opinion, on a divided 5-4 vote, the Court struck down years of precedent and held that the First Amendment permitted corporations to spend freely from their treasuries to influence elections.

As a result of *Citizens United* and the series of decisions that followed in its wake, special interests and wealthy, well-connected campaign donors have so far poured more than \$2 billion into

recent Federal elections, including 2016 races. About half of the total outside spending since Citizens United went toward the 2012 Presidential election. More than 93 percent of all Super PAC donations in 2012 came in contributions of at least \$10,000 from only 3,318 donors, who make up 0.0011 percent of the U.S. population. Of that group, an elite class of 159 people each contributed at least \$1 million—which was nearly 60 percent of all Super PAC donations that year.

In the lead-up to the 2016 Presidential primaries, we are once again witnessing an immense amount of spending. A New York Times investigation in October found that of approximately 120 million households in the United States, a mere 158 families, along with businesses they own or control, had already contributed \$176 million—nearly half of all funds raised to support the 2016 Presidential campaigns before a single primary vote has been cast.

Congressional races have been similarly flooded with outside spending. For example, in the 2014 midterm elections, outside groups spent more than \$560 million to influence congressional races—eight times the approximately \$70 million spent in 2006, the last midterm election cycle before Citizens United. And more than 30 percent of that spending came from tax-exempt, “dark money” groups that conceal their donors from the public.

The impact of this incredible spending stretches from races for the White House and Congress to Governors’ mansions, State capitols, and city halls throughout the country. As in Federal campaigns, Citizens United has led to an explosion of outside spending at the State and local levels, with corporations and wealthy single spenders looking to play kingmaker, pouring cash into races for positions ranging from district attorney to school board members. One of the most startling examples occurred in 2014 in Richmond, CA, a city with a population of 107,000. Chevron—an energy company with more than \$200 billion in annual revenue—spent approximately \$3 million through campaign committees aimed at influencing the mayoral and city council races. That means Chevron spent at least \$33 per voting-age resident in Richmond.

The long-term damage to our political process from Citizens United is just beginning to reveal itself. Some scandals have already surfaced, and there will undoubtedly be more stories of corruption and corrosive influence ahead, further eroding public confidence in our government. I have worked with my colleagues on a number of solutions to stem this tidal wave of secret unlimited spending, including improving disclosure and creating a more transparent campaign finance system. I will continue my efforts to establish a public financing system for congressional elections through the Fair Elections Now Act, which I re-introduced last year.

We also must continue to push for a constitutional amendment that would protect and restore the First Amendment by overturning Citizens United and empowering Congress and State legislatures to set reasonable, content neutral limitations on campaign spending. In 2014, Justice John Paul Stevens discussed his support for an amendment to overturn Citizens United in testimony before the Senate Rules Committee. Here is what he said: “Unlimited campaign expenditures impair the process of democratic self-government. They create a risk that successful candidates will pay more attention to the interests of non-voters who provided them with money than to the interests of the voters who elected them. That risk is unacceptable.”

As we approach the sixth anniversary of the Citizens United decision, we should heed Justice Stevens’ words. It is unacceptable for politicians to feel more beholden to wealthy donors than their constituents. We must work to fix America’s campaign finance system and overturn Citizens United so that elected officials listen to the everyday Americans who voted them into office—not just those who bankrolled their success.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. WARNER. Mr. President, I regret missing the vote on the motion to invoke cloture on the veto message on S.J. Res. 22, a bill that would block implementation of the Waters of the United States rule and prevent the Environmental Protection Agency and Army Corps of Engineers from reissuing a regulation that is substantially similar in the future. I voted against S.J. Res. 22 last fall and, had I been present, I would have voted to uphold the President’s veto. While this rule is not perfect, it provides important environmental protection efforts.●

TRIBUTE TO MARGOT ALLEN

Mr. HELLER. Mr. President, today I wish to congratulate my longtime staffer Margot Allen on her retirement. Margot has been an essential part of my team since I became a U.S. Senator in 2011, and I am thankful for all of her hard work on behalf of the people of Nevada.

For the past 5 years, Margot has gone above and beyond not only working hard to help achieve my goals for Nevada’s military community, but also to bring southern Nevada’s active military members, veterans, and their families an unwavering ally in fighting bureaucratic red tape and various issues that often occur when working with the Department of Veterans Affairs.

From helping Nevadans receive the benefits they deserve, to personally meeting many serving at both Nellis Air Force Base and Creech Air Force

Base, to welcoming a variety of veterans living throughout the southern Nevada community, Margot has been there to support those that have given so much for our freedoms. I extend my deepest gratitude to Margot for working with Nevada’s military community and representing my office with such a genuine concern for Nevada’s brave men and women. Not only has she gained my respect, but the respect of the military community across southern Nevada through her tireless resolve to bring these men and women the support they deserve.

Margot also served as my statewide coordinator for Nevada’s U.S. service academies. It was through her efforts in working with Nevada’s youth who were interested in attending these important institutions that many achieved this goal and were accepted into the academies.

Along with helping Nevada’s veterans and active military members, Margot also served as a point of contact to seniors across southern Nevada struggling with Social Security, Medicare, and other programs available to help our aging population. Throughout the last 5 years, Margot worked diligently to help seniors in need receive the help necessary to remain healthy and happy. This community is fortunate that Margot led the way to help southern Nevada’s seniors.

Margot also contributed greatly to my team by utilizing a completely different skill set—a love of grammar and writing. Prior to working on behalf of the people of Nevada in my office, she served as a professor at the University of Alabama, as well as taught English-language skills in Panama while her husband, Leonard, worked abroad for the Department of Defense. To say I was privileged to have her in my office would be an understatement.

Above all else, I want to thank Margot for all of her hard work and devotion to the people of our great State. She wore many hats, working with veterans, seniors, and a variety of other Nevadans struggling to work with Federal agencies—we are very fortunate to have had someone willing to put forth such effort and compassion to help those in need. Her legacy of resilience and determination will never be forgotten.

Today I ask my colleagues and all Nevadans to join me in congratulating Margot on her retirement and in thanking her for all she has done for the people of our State.

ADDITIONAL STATEMENTS

TRIBUTE TO MORGAN WALLACE

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Morgan Wallace for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.